

Application No. 10/705,778
Amendment dated October 24, 2005
Reply to Office Action of July 27, 2005

Docket No.: 20050/0200475-US0

REMARKS

Pending Claims

Claims 1-17 are pending. Claims 1 and 2 have been amended to correct for informalities. No new matter has been added. The Office Action states that claims 1-18 are pending but Applicants believe that no claim 18 exists at this point.

Claim Objection

Claim 2 has been objected to for containing informalities. The Examiner objected to the phrase, "disposed nearer to one end in said longitudinal direction." This phrase was corrected to state "...near to...." Withdrawal of the objection is respectfully requested.

Claim Rejections – 35 USC §101

Claims 1-18 have been rejected under 35 USC §101 because of the usage of the phrase, "held partially or totally in between the labia."

As suggested by the Examiner, claim 1 has been amended to use the "adapted for" language. This rejection against claim 1 is believed to be obviated by the amendment. This rejection against dependent claims 2-17 (no claim 18) have been overcome by the amendment to claim 1.

Double Patenting

Claims 1, 2, 6, and 15 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 2, 7, 13, and 14 of copending Application No. 110706303. This reference no. appears not to be correct. It is perhaps Serial No. 10/706,303 (attorney docket No. 20050/0200479-US0).

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Because of the provisional nature of the rejection, Applicants plan to file a terminal disclaimer to obviate this rejection once some or all of the claims in the copending application have been allowed and been deemed to still render the present claims obvious.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Dated: October 27, 2005

Respectfully submitted,

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